

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ROGER REEVES,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:07cv616-MHT
)	
DSI SECURITY SERVICES, et al.,)	
)	
Defendants.)	

ORDER

For good cause, it is

ORDERED that the dispositive motion deadline is extended to **April 10, 2008** and the discovery deadline is extended to **May 10, 2008**.

It is further ORDERED that plaintiff's motion (Doc. # 77) to strike a statement he made in error in an earlier filed pleading styled "Plaintiff Roger Reeves Reply to DSI Motion for Summary Judgement (i.e. Response)" is DENIED as MOOT.¹

Additionally, the court notes that plaintiff's "amended complaint" (Doc. # 22) was filed without leave of court and – because it followed a motion for summary judgment from defendant DSI – at a time when amendment as of right was no longer available. Fed. R. Civ. P. 15(a). The amendment is largely identical to the original complaint. In the amendment plaintiff: (1) substitutes the word "disparate" for the word "fraud" in paragraph 4; (2)

¹ The document plaintiff now seeks to correct (Doc. # 43) was stricken from the record by order entered October 5, 2007 (Doc. # 45) because it was filed after the deadline established by the court for plaintiff's response to DSI's motion for summary judgment, and plaintiff had not shown good cause for modification of the briefing schedule.

changes the description of John Howard to read “Plant Manager” instead of “Employee Plant Manager; (3) omits a page including allegations against Alan Wood and DSI; and (4) deletes a couple of sentences under plaintiff’s allegations regarding Debra Leo which read “EEOC has shown a lack of aggressiveness in purs[u]ing my case from start to fin[i]sh. They were more than 20 days late on a 4 day phone call.” Plaintiff adds a demand for reinstatement to his former job, and for any other appropriate relief. (See Doc. # 22, ¶ 12(b)). Upon consideration of the amendment, which the court construes as a motion for leave to amend the complaint, it is

ORDERED that the motion is GRANTED.

It is further ORDERED that, unless defendant EEOC and DSI notify the court on or before **March 4, 2008** that they object, the court will deem the motion to dismiss previously filed by the EEOC (Doc. # 26, as amended by Order, Doc. # 54) and the motion for summary judgment previously filed by defendant DSI (Doc. # 15) as responsive to the amended complaint.

DONE, this 28th day of February, 2008.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE